

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

AF / 2825
**PATENT
APPLICATION**

In re **PATENT APPLICATION** of
 Inventor(s): T. HOSHINO et al.
 Appln. No.: 09 | 835,820
 Series Code ↑ | Serial No. ↑

Group Art Unit: 2825
 Examiner.: Chuong A. LUU
 Atty. Dkt.: 0280192 | EDL00028CDC
 C-M | Client Ref:

Filed: April 17, 2001
 Title: Fabricating Process of a Semiconductor Device including
 a CVD Process of a Metal Film

Date: October 31, 2003

Mail Stop Appeal Brief-Patents
 Hon. Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450



Sir:

1. **NOTICE OF APPEAL**: Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated May 2, 2003 of the Examiner twice/finaly rejecting claim(s) in this application or in this application and its parent application.
2. **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).
5. "Small entity" statement filed: herewith. previously.
6. Fee NOT required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,	enter	\$330/165
If box 2 above is X'd,	enter	\$330/165
If box 3 above is X'd,	enter	\$290/145
If box 4 above is X'd,	enter nothing	- 0 - (no fee)
8. Original due date: May 2, 2003		
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo) \$110/\$55 (2 mos) \$420/\$210 (3 mos) \$950/\$475 (4 mos) \$1,480/\$740 (Usable only if box 2 is X'd--- 5 mos) \$2,010/\$1,005	+\$950
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8); <input checked="" type="checkbox"/> with concurrently filed amendment	-\$950	NOV - 12/2003
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+0
12.	TOTAL FEE =	\$330

**PLEASE CHARGE
OUR DEP. ACCT.**

(Our Deposit Account No. 03-3975)

(Our Order No. 040258 | 0280192
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the Issue fee until/unless an Issue fee transmittal sheet is filed.

11/03/2003 RHARIS1 00000067 033975 09835820 Pillsbury Winthrop LLP
 01 FC:1401 330.00 DA Intellectual Property Group

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